

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

EISAI INC.,

12-CV-7208-ELS-CLW

Plaintiff,

v.

ZURICH AMERICAN INSURANCE
COMPANY,

Defendant.

**AMENDED CERTIFICATION OF ANDREW L. MARGULIS IN SUPPORT OF
APPLICATION FOR ADMISSION *PRO HAC VICE***

I, ANDREW L. MARGULIS, certify as follows:

1. I am a member of the law firm of Ropers, Majeski, Kohn & Bentley, PC, whose offices are located at 750 Third Avenue, 25th Floor, New York, New York 10017.
2. Our firm has been retained to represent defendant Zurich American Insurance Company in this action.

3. I have been admitted to practice in the State of New York since August 7, 1989, the state in which I principally practice law, and I remain a member in good standing of the bar of that state. The Grievance Committee of the Appellate Division, First Department of the Supreme Court of the State of New York maintains a roll of members of the bar at its offices located at 41 Madison Avenue at 26th Street, 26th Floor, New York, NY 10010.

4. I am also admitted to practice before the following courts, with my year of admission as indicated:

| COURT | DATE ADMITTED |
|---|------------------|
| Bar of the State of Connecticut 95 Washington Street, Hartford, CT 06106 | December 9, 1988 |

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| United States District Court, Southern District of New York 500 Pearl Street, New York NY 10007 | September 26, 1989 |
| United States District Court, Eastern District of New York 225 Cadman Plaza East, Brooklyn, NY 11201 | October 13, 1989 |
| United States District Court, Northern District of Illinois 219 South Dearborn Street, Chicago, IL 60604 | November 4, 2010 |
| United States Court of Appeals, Second Circuit 40 Centre Street, New York, NY 10007 | August 1, 1991 |
| United States Court of Appeals, Fifth Circuit 600 S. Maestri Place, New Orleans, LA 70130 | September 15, 1993 |
| United States Court of Appeals, Ninth Circuit 95 Seventh Street, San Francisco, CA 94103 | June 6, 2005 |
| United States Court of Appeals, Third Circuit 601 Market Street, Philadelphia, PA 19106 | November 21, 2005 |
| United States Court of Appeals, Sixth Circuit 100 East Fifth Street, Cincinnati, OH 45202 | March 17, 2008 |
| United States Court of Appeals, Eleventh Circuit | April 7, 2008 |
| United States Court of Appeals, Seventh Circuit | November 19, 2010 |
| United States Court of Appeals, Eighth Circuit 111 South 10th Street, St. Louis, MO 63102 | November 16, 2012 |

5. I am currently a member in good standing in each of those courts and have never been suspended or disbarred in any court. There are no disciplinary proceedings pending against me in any jurisdiction and no discipline has previously been imposed upon me in any

jurisdiction. I seek and am eligible for admission to the bar of this Court *pro hac vice* pursuant to Local Civil Rule 101.1(c).

6. I have numerous years of experience in insurance coverage litigation matters involving issues similar to those raised in this action. I have appeared in courts throughout the United States representing insurers in coverage litigation. I seek admission to practice before this Court *pro hac vice* to provide Defendant with this expertise at Defendant's request.

7. I request permission of the Court to appear as counsel *pro hac vice* in this matter in association with the attorney of record who is Eric Weissman. Mr. Weissman is a member of the law firm of Ropers, Majeski, Kohn & Bentley, PC, and is an active member of the Bar of this Court.

8. If admitted *pro hac vice* in this action:

- (a) I will notify the Court immediately of any matter impacting my standing in the bar of any other court;
- (b) I shall also pay the annual fee to the New Jersey Lawyer's Fund for Client Protection pursuant to New Jersey Court Rule 1:28-2(a);
- (c) I will ensure that a payment of \$15000 is made to the Clerk, USDC;
- (d) I will have all pleadings, briefs, and other papers filed with the Court signed and filed by a member in good standing of the Bar of this Court; and
- (e) I agree, pursuant to the New Jersey Court Rule 1:21-7, not to take a fee in any tort case in excess of the amount permitted by the Rule.

9. Based on the foregoing, I respectfully request that this Court grant my application to appear *pro hac vice* in this action on behalf of Defendant.

I certify under penalty of perjury under the laws of the United States that the foregoing statements are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: February 7, 2013

Respectfully submitted,

/s/ Andrew L. Margulis

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